



K-12 EDUCATION

A Legislative Handbook

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Education Agencies

This section provides an overview of the major local and state agencies and committees that provide or support K-12 education in Washington.

LOCAL DISTRICTS

SCHOOL DISTRICTS	
WHO ARE THEY	There are 295 local school districts, each governed by an elected board of directors whose members serve staggered four-year terms. Each board hires a superintendent who oversees the day-to-day operation of the district. "First class" school districts are defined as those with more than 2,000 students. Districts with fewer than 2,000 students are called "Second class" districts.
RESPONSIBILITIES	The primary responsibility of school districts is to provide an education to all children, age 5 to 21, who reside within the district boundaries. School boards have broad corporate powers to hire staff, provide and contract for educational and other services, incur debt, issue bonds, build and maintain facilities, buy property, and collect local property taxes (if authorized by the district voters).
BACKGROUND	School districts are not referenced in the Constitution, but are solely creatures of statute, and thus their powers, duties, and boundaries may be altered or abolished by statute. Washington once had over two thousand school districts.

EDUCATIONAL SERVICE DISTRICTS (ESDs)	
WHO ARE THEY	There are nine regional Educational Service Districts in the state. Each is governed by a board consisting of seven to nine members elected by the school directors of that ESD.
RESPONSIBILITIES	<ul style="list-style-type: none">• Provide cooperative, administrative, and informational services to and on behalf of local school districts.• Assist the SPI and the SBE in the performance of their duties.• Limited powers and authority (no taxing authority; no statutory responsibility for providing education).
BACKGROUND	School districts were once partial subdivisions of the counties. In 1969, county offices regulating school districts were eliminated and, at the same time, regional organizations called intermediate school districts were created in statute. These intermediate school districts were renamed ESDs in 1975. ESDs receive some core state funding, but most of their budget comes through cooperative services and fee-for-service programs such as professional development.

STATE AGENCIES

SUPERINTENDENT OF PUBLIC INSTRUCTION/OFFICE OF THE SUPERINTENDENT (OSPI)	
WHO ARE THEY	The Superintendent of Public Instruction serves as Washington's Chief State School Officer and is elected on a nonpartisan basis every four years. The OSPI employs approximately 400 people.

SUPERINTENDENT OF PUBLIC INSTRUCTION (continued)

RESPONSIBILITIES	<p>Washington's Constitution provides that the Superintendent of Public Instruction "shall have supervision over all matters pertaining to public schools, and shall perform such specific duties as may be prescribed by law."</p> <p>Among its duties, OSPI:</p> <ul style="list-style-type: none">• establishes state learning standards and statewide assessments;• monitors and consults in such areas as basic education, professional development, curriculum development, specials needs programs and educational technology;• apportions and distributes moneys to local school districts and educational service districts;• provides technical assistance and administers special programs; and• gathers and reports information to state and federal authorities.
BACKGROUND	<p>The Superintendent is one of eight statewide executive officials of state government whose positions are established by the Constitution.</p>

STATE BOARD OF EDUCATION (SBE)

WHO ARE THEY	<p>16 members. 7 appointed by Governor; 5 elected by public school directors; 1 elected by private school directors; SPI; 2 students. Separate staff (5-6 people) hired by the Board, housed in OSPI for administrative convenience.</p>
RESPONSIBILITIES	<ul style="list-style-type: none">• System Oversight - "The Big Picture"• Student Performance & Accountability (Student performance goals, school & district performance goals, systems of support & assistance)• Basic Ed Act compliance (private school accreditation, 180-day waivers)• High School Graduation requirements• Other (math & science standards review, curriculum review)
BACKGROUND	<p>The Board was reconstituted in 2005 when the membership was changed to half appointed, half elected. At that time the Board assumed the Student Performance & Accountability functions previously performed by the A+ Commission, and previous Board responsibilities for educator certification were transferred to the PESB. Then in 2006, other ministerial responsibilities of the Board were transferred to the OSPI.</p>

PROFESSIONAL EDUCATOR STANDARDS BOARD (PESB)

WHO ARE THEY	<p>12 members. Appointed by Governor, majority active classroom-based practitioners. Legislation in 2009 reduced size of Board. Separate staff (13 people) hired by the PESB, housed in OSPI for administrative convenience.</p>
RESPONSIBILITIES	<p>Educator Certification (including standards and procedures for certification of teachers, ESAs, principals, administrators; approval of educator preparation programs; alternative routes to certification)</p>
BACKGROUND	<p>The PESB was established in 2000 as an advisory committee to the State Board of Education, which retained the actual authority for certification until 2005 when the PESB received full policy authority for all certification matters. In 2009, the PESB also received management authority over the 5-6 staff of the certification office, who previously reported to the SPI.</p>

OFFICE OF THE EDUCATION OMBUDSMAN (OEO)

WHO ARE THEY	Separate Office within the Office of the Governor, with the Education Ombudsman appointed by the Governor
RESPONSIBILITIES	<ul style="list-style-type: none">• Serves a voluntary mediator function between parents and school districts, but does not act on behalf of either party and cannot compel action by either party.• Promotes parent involvement and provides information to parents about the public school system.
BACKGROUND	Established in 2006.

OTHER MAJOR COUNCILS OR COMMITTEES**QUALITY EDUCATION COUNCIL (QEC)**

WHO ARE THEY	8 legislators, 4 education agency heads (SPI, SBE, PESB, DEL), Governor's Office, plus one member of the Achievement Gap Oversight Committee. Staffed by OSPI and OFM, with assistance from other agency staff as needed.
RESPONSIBILITIES	<p><u>Short-Term:</u> Provide policy guidance and receive progress reports and recommendations from various working groups assigned to implement 2009 Basic Education legislation (ESHB 2261).</p> <p><u>Long-Term:</u></p> <ul style="list-style-type: none">• Oversee ongoing implementation of 2009 Basic Education legislation and "an evolving Program of Basic Education."• Develop strategic recommendations and set measurable goals and priorities for the education system.
BACKGROUND	Established in 2009. Somewhat modeled after an entity in Oregon that is responsible for making recommendations to the Legislature on their basic education program and, in particular, the financing needed to support it.

ACHIEVEMENT GAP OVERSIGHT & ACCOUNTABILITY COMMITTEE

WHO ARE THEY	6 legislators, Education Ombudsman, Center for the Improvement of Student Learning (CISL), 5 representatives of major student populations (Native American, African American, Hispanic American, Asian American, Pacific Islander American). Staffed by CISL (an office within OSPI).
RESPONSIBILITIES	<ul style="list-style-type: none">• Synthesize the 2008 achievement gap studies into a single strategic plan.• Recommend to SPI, SBE, PESB policies and strategies to close the achievement gap in a variety of topic areas.
BACKGROUND	Established in 2009 as a response to five achievement gap studies commissioned by the Legislature in 2008.

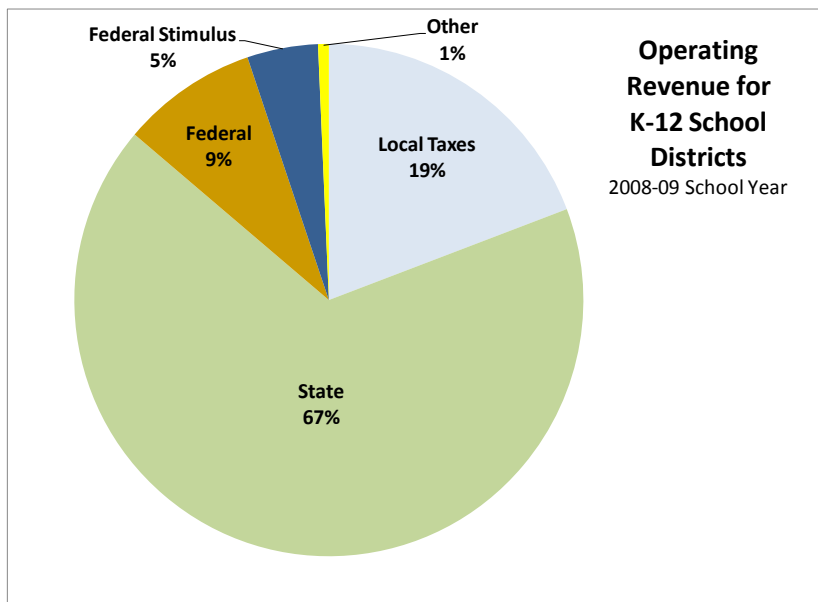
School District Finance

OVERVIEW

For the 2008-09 school year, Washington's 295 school districts received a total of \$9.9 billion in operating revenue from all sources.

In Washington, two-thirds of school district revenue comes from the state. This is higher than the national average of roughly 50 percent.

State	\$6,624 million
Local Taxes	1,902
Federal	854
Federal Stimulus	445
Other	67
Total Revenue	\$9,892 million



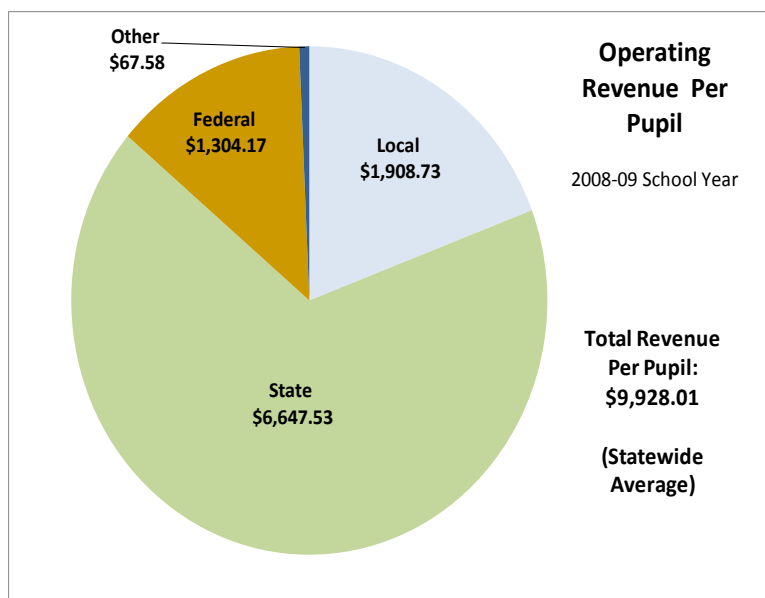
Other states rely more heavily on local taxes to support schools, which makes up less than 20 percent of the total in Washington.

Ordinarily, federal funding makes up about 8 to 10 percent of overall school district revenue. But for the next several years, the federal share will be temporarily increased due to Federal Stimulus funding through the American Recovery and Reinvestment Act (ARRA).

School districts received just under \$10,000 per pupil in total revenue in 2008-09 for operating expenses. About \$6,600 per pupil came from the state.

These figures represent a *statewide average* of all school districts. Each district's proportion and per pupil revenue varies by the characteristics of its students, size of its voter-approved levy, and its eligibility for certain types of federal funding.

Source: School District and ESD Financial Reporting Summary 2008-09 School Year, Detail General Fund Revenue and Other Financing Sources Report



STATE FUNDS - DETAIL

School Districts - State Revenue 2008-09 School Year

Basic Education/Appportionment	\$ 4,793,398,167
Special Education	638,360,307
Student Achievement Fund	358,320,012
Pupil Transportation	269,809,256
Local Effort Assistance	226,728,215
Learning Assistance Program	122,871,437
Transitional Bilingual	74,737,127
Special & Pilot Programs	49,840,789
State Professional Development	19,470,986
Institutional Education	17,787,236
State Forests	9,795,913
School Food Services	9,630,165
Highly Capable	8,827,379
Day Care	2,561,397
Other	21,673,576
Total State Revenue	\$ 6,623,811,962

Basic Education/ Apportionment	\$4.793 billion
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More than 70 percent of state funding for school districts is driven out through the general apportionment funding formula to support Basic Education and the general operation of schools. Funding is based on annual average full-time equivalent student enrollment and provides allocations for certificated instructional, administrative, and classified staff as well as nonemployee-related costs. The formula also includes funding for career and technical education and enhanced funding for small schools and small school districts. The structure of this funding formula will be changing beginning in 2011-12 as a result of Basic Education Finance Reform legislation enacted in 2009 and 2010.

Special Education	\$638.4 million
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State funds to support education for students with disabilities is provided over and above regular funding for Basic Education. Districts receive .9309 times the per-pupil amount for Basic Education for each student in grades K-12, and 1.15 times this amount for special education students aged Birth to three. Funding for K-12 students is capped at 12.7 percent of the district's student population, with safety net funding available through an application process for particularly high cost students and unusual situations.

Student Achievement Fund

\$358.3 million

The Student Achievement Fund was created by Initiative 728 in 2000. Funds may be used to reduce class size, offer early learning and extended learning opportunities for students, and provide professional development for educators. In the 2008-09 school year funds were allocated based on \$458.10 per student to each school district. These funds were significantly reduced in the 2009-11 biennial budget.

Pupil Transportation

\$269.8 million

State funds for pupil transportation are allocated based on a formula that estimates the cost of transporting students who live more than one radius mile from school. Funding is also provided for K-5 students who live within one mile, which can be used to mitigate hazardous walking conditions. The funding formula will be changed beginning in 2011 to a method that calculates expected costs through a statistical regression analysis.

Local Effort Assistance

\$226.7 million

Created in 1987, Local Effort Assistance (LEA) is state funding provided to school districts with above average property tax rates due to low property valuations. To qualify for the assistance, a district must make the effort to pass a local levy. Maximum matching assistance in 2008-09 was at the school district's 12 percent levy rate. In 2008-09, 217 out of 295 school districts qualified. Legislation enacted in 2010 (SHB 2893) increases the level of LEA assistance to a district's 14 percent levy rate for 2011 through 2017.

Learning Assistance Program

\$122.8 million

LAP is a state program that provides funding for school districts to offer supplemental instruction and support for struggling students. Funds are allocated based on the proportion of low income students in the district, on the presumption that there is an inverse relationship between student poverty and student achievement.

Transitional Bilingual Program

\$74.7 million

Funding is also allocated for supplemental instruction for students who are English Language Learners. Funds are allocated for each student who does not pass a standardized English proficiency assessment that measures reading, writing, listening, and speaking. The additional funds must be used on eligible students.

Special and Pilot Programs

\$49.8 million

This category of state funding represents a number of diverse and ever-changing special programs with funds typically allocated through competitive grants or other specific eligibility criteria. Examples include beginning teacher mentor support, drug and alcohol prevention, alternative education, environmental education, dropout prevention, and principal internships.

State Professional Development	\$19.4 million
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In 2008-09, special state funding was provided for educator professional development in mathematics and science.

Institutional Education	\$17.7 million
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Supplemental funding is provided to school districts who must offer education and services to students housed in various types of institutions, including residential habilitation centers, state group homes, facilities for juvenile delinquents, and youth in detention and state prisons.

State Forests	\$9.7 million
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The State Department of Natural Resources distributes funds to school districts from the lease of state forest lands or the sale of forest and mineral products from those lands.

School Food Services	\$9.6 million
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Most funding for school food services is federal, but the state is required to provide a minimum matching amount based on the number of federally-supported meals served.

Highly Capable	\$8.8 million
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Supplemental funds are provided based on 2.314 percent of each school district's student population to offer enhanced learning opportunities for highly capable (gifted) students.

Day Care	\$2.5 million
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Some school districts receive funds from state agencies such as the Department of Social and Health Services for day care services and programs provided by the district.

Other	\$21.6 million
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School districts are asked to record "other" state funds received, including monies under contract with state agencies other than the OSPI.

FEDERAL FUNDS - DETAIL

School Districts - Federal Revenue 2008-09 School Year

Federal Stimulus	\$ 445,384,620
Special Education	221,477,349
School Food Services	197,324,400
Title I	187,268,480
School Improvement	60,978,642
Impact Aid	53,553,018
Misc. Federal Grants	25,857,223
Federal Forests & In Lieu of Taxes	18,600,436
Headstart	16,238,533
Reading First	13,248,130
Limited English Proficiency	13,040,538
Migrant	12,411,558
Secondary Vocational Ed	8,226,303
Indian Education	4,251,898
Other	21,650,860
Total Federal Revenue	\$ 1,299,511,988

Federal Stimulus	\$445.3 million
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Federal funding from the American Recovery and Reinvestment Act (ARRA) was used in 2008-09 to offset reductions in general state funding. School districts did not receive a net increase in funds.

Special Education	\$221.4 million
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Funding through the federal Individuals with Disabilities Education Act (IDEA) is allocated on a per-student basis to provide services to students with disabilities. In addition, approximately \$12 million is reimbursement for Medicaid-eligible services provided for these students.

School Food Services	\$197.3 million
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School districts receive funds to operate school lunch and breakfast programs and provide free and reduced price meals for low income children. Included in the amount shown is almost \$19 million in commodities for school food programs from the U.S. Department of Agriculture.

Title I	\$187.2 million
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Title I refers to the Elementary and Secondary Education Act (ESEA), which was reauthorized in 2001 as the No Child Left Behind Act. There are a number of subgrants under the Title I umbrella, but the largest is Part A, Basic which provides funding to school districts based primarily on the number of low income children (according to Census data) in a district. Funds must be used to help struggling students improve their achievement.

School Improvement	\$60.9 million
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School districts receive grants from a number of other Titles under the ESEA, including Title II (teacher quality and educational technology); Title IV (safe and drug free schools and 21st century community learning centers); and Title V (innovative programs). Each grant has separate criteria, purposes, and allowable uses.

Impact Aid	\$53.5 million
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Financial assistance is provided for those school districts that are impacted by federal activities, such as military bases and the children associated with the soldiers stationed at them. The intent is to compensate the school district for the loss of taxes on federal property.

Misc. Federal Grants	\$25.8 million
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School districts are asked to record "other" federal grant funds received, including monies received directly from a federal agency or another state agency rather than through the OSPI.

Federal Forests & In Lieu of Taxes	\$18.6 million
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Similar to Impact Aid, these are payments to school districts to offset the loss of property taxes due to the significant presence of federal lands. However, these revenues are based on income from activities on the federal land (timber, mining, etc.) To avoid disproportionate benefit to a few districts, state revenue otherwise payable through general apportionment is reduced.

Headstart	\$16.2 million
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Headstart is a federal comprehensive preschool program for low income children and their families. The program is administered by the Department of Early Learning through contracted service providers, many of which are school districts.

Reading First	\$13.2 million
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Reading First is a federal initiative under the No Child Left Behind Act to help school districts implement comprehensive reading instruction programs in K-3, including professional development for teachers in improving reading instruction. Funds are distributed to the state based on low income students, and school districts compete to receive the grants.

Limited English Proficiency

\$13.0 million

Funding under Title III of the ESEA is provided to supplement instruction for English Language Learners. Funds are distributed to districts primarily based on their proportionate share of these students.

Migrant

\$12.4 million

Another part of Title I, Migrant funds are provided to school districts to establish and improve educational services and programs for children whose families are migratory farmworkers.

Secondary Vocational Ed

\$8.2 million

Federal funds through the Perkins Act help school districts improve the standards, curriculum, and alignment with postsecondary training of their career and technical education programs, both in high schools and in skill centers.

Indian Education

\$4.2 million

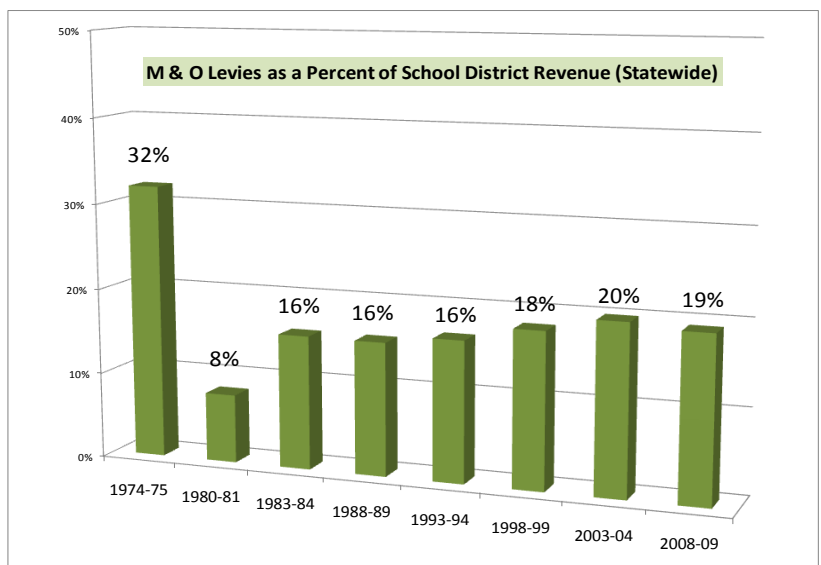
Two funding streams support programs designed to meet the educational and cultural needs of Native American students. The larger grant (about \$4 million) comes from the U.S. Department of Education; the remainder is from the Bureau of Indian Affairs.

LOCAL FUNDS - LEVIES

More than 80 percent (\$1.5 billion) of the revenue received by school districts from local sources in 2008-09 was generated by property tax levies approved by district voters. The remainder was fees (co-pays for meals and tuition for voluntary programs), donations, sale of goods, rent and lease income, investment earnings, and a variety of other sources.

Levies Generally. The State Constitution authorizes school districts to levy local property taxes to support public schools as long as the voters of the district approve. A Constitutional amendment approved in 2007 allows a simple majority voter approval for Maintenance & Operations (M & O) levies. Levies to pay for bonds for capital projects still require 60 percent voter approval. M & O levies may be authorized for up to four years. Capital levies may be up to six years and are limited to specified costs to repair, improve, or construct facilities. "Facilities" can include major technology systems; sometimes Capital levies run for this purpose are called Technology levies. Monies from the sale of bonds, which are paid for by a Debt Service levy, are restricted to land purchase and major capital projects. Districts are authorized to run two-year Transportation levies for bus purchases, but few do.

Levy Lid. The original Levy Lid law, which was enacted in 1977 and took effect in 1979, sought to limit M & O levies to 10 percent of a school district's state Basic Education allocation. School districts with historically higher levies were grandfathered, with the intent to move all districts to 10 percent by 1982. In the past 35 years, the Levy Lid law and calculation of the lid have been amended numerous times. In 2008-09, the lid was 24 percent, with 91 school districts still grandfathered at a higher lid (the highest being 33.9 percent in Kahlotus, Franklin County). Legislation enacted in 2010 (SHB 2893) temporarily raises the lid for all districts by 4 percent until 2017.



Levy Base. The base against which the levy lid is calculated has also been adjusted and amended over time. The levy base now includes most state funding (except for certain temporary or special projects) and federal funding that a district receives. Since 2004, the base has also included amounts that would have been paid to school districts under I-728 and I-732, had those Initiatives been fully funded by the Legislature. The timeframe for this artificial base expansion has been extended several times. SHB 2893 extends the expansion to 2017 and adds to the artificial base monies that would otherwise be paid for enhanced K-4 staffing allocations, if those are reduced by the Legislature.

K-12 Constitutional Context

WASHINGTON STATE CONSTITUTION

ARTICLE IX

SECTION 1. It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.

SECTION 2. The legislature shall provide for a general and uniform system of public schools....

In light of these education provisions in the state's Constitution, the courts have played a considerable role in school funding over the past 40 years. Set forth below is a chronological look at what the courts have had to say in various cases in the school funding arena.

Northshore School District v. Kinnear (1974) (Supreme Court plurality opinion)

- Variation in size and taxable property among districts does not demonstrate that the system is neither general nor uniform.
- "General and uniform" does not require exact equality of funding per student.
- In a general and uniform system every child has free access to certain minimum and reasonably standardized educational and instructional facilities and opportunities and a child could transfer from one district to another without substantial loss of credit or standing.
- School Funding I later overruled the Northshore reasoning on "paramount duty".

School Funding I (1978) (Supreme Court opinion also referred to as Doran I, titled after trial court Judge Robert Doran who issued the decision that was before the higher court)

- Article IX creates a duty and a right.
- All children residing within the state's borders have a right to be amply provided with an education.
- This right is constitutionally paramount and must be achieved through a general and uniform system of public schools.
- The duty to provide this education is imposed on the state, not school districts.
- The state complies with this duty only when it makes ample provision for a program of basic education through regular and dependable tax sources.
- Excess levies are not regular and dependable tax sources, because they vary by year and by district.
- The legislature may authorize use of excess levies only for enrichment programs that the state is not required to support under its basic education obligation.
- The state may not cause districts to fund basic education with local levy funding.

School Funding II (1983) (Trial court decision issued by Judge Doran; not appealed. Referred to as Doran II .)

- Once the Legislature has defined and fully funded basic education, it may not reduce the level of funding merely because of a budget shortfall; however, basic education formulae and definitions are not cast in "constitutional concrete."
- The state must fund "salaries necessary to assure local school districts the ability to hire and retain competent staff."
- Items within the state's definition of basic education are not restricted to the general apportionment formulas and ratios found in the Basic Education Act (BEA).
- The state's funding obligation includes special education, some transportation, bilingual education, remedial education, and institutional education.

- Basic education does *not* include gifted programs, food programs, "urban factors", extracurricular activities, desegregation costs, deferred maintenance, enrollment decline costs.

School Funding III (1987) (Trial court decision issued by Judge Doran; not appealed. Sometimes referred to as Doran III.)

- State may fund special education based on assumptions about statewide averages as long as a "safety net" is provided.

McGowan v. State (2002) (Supreme Court)

- Statutes regarding basic education must be read in light of prior constitutional rulings.
- Calling the COLA basic education doesn't make it so as a matter of constitutional law.
- Even though the statute declared that state-funded COLAs were within the state's basic education funding obligation, they were not.

Brown v. State (2005) (Supreme Court)

- Moving funding for three Learning Improvement Days (LID) onto the state teacher salary did not bring LID days into the basic education definition because the Legislature had not made an "explicit declaration" that LID days were a part of basic education.
- School Funding II is "well reasoned" but not binding.
- Court questions whether the Legislature can "bindingly designate" programs to be basic education "in the constitutional sense."
- Court declares that it has never held that the BEA defines the scope of paramount duty.

School Districts' Alliance v. State (2009) (Court of Appeals Div. II) (Supreme Court has granted review)

- Court holds that plaintiffs fail to meet burden to prove beyond a reasonable doubt that the special education funding system violates Article IX, sec. 1.

Federal Way School District v. State (2009) (Supreme Court)

- "General and uniform" provision found in Article IX, sec. 2 requires uniformity in the educational program rather than in the minutiae of funding, and does not require uniform state funding allocations for certified instructional staff (CIS), classified, and administrative salaries.
- Court rejects argument that Article IX, sec. 1 requires uniform salary allocations or formulas.

McCleary v. State (2010) (Trial court decision) (State filed an appeal with the Supreme Court 3/25/10)

- Provisions of the Constitution are mandatory and the state has no discretion in whether it will comply with the duties mandated by the Constitution.
- Article IX, sec. 1 imposes the paramount education duty on the state, not school districts.
- Constitutional duty to amply provide for equipping all children with the basic knowledge and skills established by the current definition of the "education" required by Article IX, sec. 1 is a constitutional floor below which the state cannot go.
- State is not currently complying with its paramount constitutional duty to make ample provision via a stable and dependable source of funds.
- Intent to cease a legal violation in the future does not negate the existence of a current violation and, therefore, what future legislatures might choose to do under ESHB 2261 are not relevant to the compliance issue, although they may be relevant to the appropriate enforcement order.
- Legislature must "proceed with real and measureable progress" to:
 - establish the actual cost of amply providing all Washington children with the education mandated by the court's interpretation of Article IX, sec. 1.
 - establish how the state will fully fund that actual cost with stable and dependable state sources.

Major Education Legislation: 2006 - 2010

2006

SHB 2812 - Levies

- Extends through 2011, the authorization for districts to include in their levy bases amounts the districts would have received for I-728 and I-732 had these two initiatives not been amended.
- Requires, beginning January 1, 2007, that levy equalization be fully funded at 100 percent and not reduced.

E2SHB 3098 - State Board of Education

- Changes the duties and responsibilities of the State Board of Education pursuant to recommendations made by the joint subcommittee of the Legislative Education Committees.

ESHB 3127 - Center for the Improvement of Student Learning/Office of the Education Ombudsman

- Reactivates the Center for the Improvement of Student Learning (CISL) within the Office of the Superintendent of Public Instruction (OSPI).
- Establishes the Office of the Education Ombudsman within the Office of the Governor.

ESSB 6475 - Alternative Assessments

- Authorizes alternative methods of assessment to demonstrate achievement of state standards where students were not successful on the high school WASL, for purposes of graduation.

2007

2SHB 1573 - Building Bridges Dropout Prevention

- Directs OSPI to create the Building Bridges Program to award grants to local partnerships to identify, assist, and support students at risk of dropping out.
- Establishes a state-level work group to make recommendations to the Legislature, develop and track performance measures, identify best practices, and examine issues relative to prevention, intervention, and retrieval of drop-outs.

2SHB 1906 - Math and Science Education (Washington Learns)

- Directs implementation of several Washington Learns recommendations relative to math and science education, including: revised essential academic learning requirements and grade level equivalencies; amended high school graduation requirements to include a third credit of math; recommended curricula; and new alternative route programs for teacher certification.

EHJR 4204 - Simple Majority

- Proposes an amendment to the Washington Constitution allowing authorization of excess property taxes for school districts by a simple majority of the voters voting in the levy election. (EHJR 4204 was put on the 2007 general election ballot and passed by approximately 51 percent.)

E2SSB 5627 - Basic Education Finance Task Force

- Creates a joint task force to review the current definition of basic education and funding formulas and develop a new definition and funding structure.

E2SSB 5841 - Education Programs (Washington Learns)

- Institutes a phase-in of voluntary all-day kindergarten.
- Creates demonstration projects in grades K-3 education and English as a Second Language.
- Expands the goals of the Basic Education Act.
- Requires OSPI to streamline the special education safety net program.

E2SSB 5843 - Education Data (Washington Learns)

- Creates the Education Data Center within the Office of Financial Management (OFM).
- Directs OSPI to conduct a feasibility study on expanding a longitudinal student-teacher data system, with a final report to the Legislature by November 1, 2008.
- Requires school districts to submit specified student-teacher data to OSPI.

2SSB 5955 - Educator Professional Development (Washington Learns)

- Establishes a public-private partnership to develop, pilot, and implement the Washington State Leadership Academy to enhance leadership skills of school and district administrators.
- Tasks the PESB with: adopting new math standards and certification requirements; developing a uniform, externally administered professional-level teacher certification assessment; and reviewing preparation requirements to focus on diversity in cultural knowledge and respect.
- Creates an initiative to improve mathematics, science, and targeted secondary reading education through professional development delivered through a collaboration of OSPI and ESDs.
- Establishes the Recruiting Washington Teachers Program.

ESSB 6023 - WASL and Graduation

- Creates a temporary policy allowing students to graduate without passing the high school math WASL, through the class of 2012. Moves the science graduation requirement to the class of 2013.
- Makes changes regarding the WASL and approved alternative assessments.

2008**ESHB 3166 - WASL and End of Course Assessments**

- Directs OSPI to redesign the elementary and middle school assessments by shortening test administration and reducing the number of open-ended questions.
- Establishes timelines for implementation of end of course assessments for high school math.

2SSB 6377 - Career and Technical Education

- Increases rigor and standards for secondary CTE programs and provides for CTE/academic course equivalencies. Increases focus of CTE on high demand programs.
- Creates model programs and other initiatives in CTE, along with increased communication and promotion of CTE learning opportunities.

E2SSB 6673 - Learning Opportunities

- Creates the Extended Learning Opportunities program for students who are not on track to meet the state or local high school graduation requirements.
- Creates a LAP enhancement for school districts with high ELL populations.
- Directs PESB to convene a work group to develop recommendations for increasing teacher knowledge, skills, and competencies to address the needs of English language learners.

2009

ESHB 1741 - Revocation of Certification

- Expands the list of crimes that require dismissal or certificate revocation for school employees.

ESHB 2261 - Basic Education

- Redefines the program of Basic Education and establishes a framework for a new funding formula to allocate state dollars to school districts to support basic education.
- Creates a new pupil transportation funding formula.
- Directs the SBE to continue work on an accountability system and directs the PESB to continue work on performance-based educator certification.
- Creates the Quality Education Council and various working groups to implement the provisions.

SSB 5248 - Interstate Compact - Military Children

- Enacts the Interstate Compact on Educational Opportunity for Military Children.

SSB 5410 - Online Learning

- Creates the Office of Online Learning in OSPI and establishes an online learning provider approval process. Requires multidistrict online learning providers to be approved.
- Requires school districts to develop policies regarding online learning.

2SSB 5973 - Achievement Gap

- Creates the Achievement Gap Oversight and Accountability Committee (AGOAC).
- Requires annual reports to the Legislature regarding strategies to address the achievement gap and improvement of education performance measures for groups of students.

2010

E2SHB 1418 - Dropout Reengagement

- Establishes a statewide dropout reengagement program through model contracts.

SHB 2776 - Basic Education Funding Formulas

- Establishes details and baseline values for the basic education funding formula in statute.
- Provides a schedule for increasing funding allocations for maintenance, supplies, and operating costs and to reduce K-3 class size. Provides a schedule for phasing in full-day kindergarten and full funding of a new pupil transportation formula.

SHB 2893 - Levies /Levy Equalization

- Increases local effort assistance from 12 percent to 14 percent for 2011 to 2017.
- Lifts the levy lid by 4 percentage points for 2011 to 2017.
- Allows districts to return to voters in the middle of a levy cycle for additional levy authority.
- Extends, through 2017, the authorization for districts to include in their levy bases amounts the districts would have received for I-728 and I-732 had these two initiatives not been amended.
- Includes K-4 staffing enhancement dollars in the levy base, should the state reduce these moneys.

E2SHB 3026 - Civil Rights

- Adds a new chapter to the school code paralleling the Sexual Equality chapter and prohibiting discrimination on the basis of race, creed, religion, color, national origin, sexual orientation, veteran or military status, disability, or the use of trained guide or service animal by a person with a disability.

E2SSB 6696 - Education Reform (Race to the Top)

- Establishes an accountability framework and process for low achieving schools and districts.
- Requires revised evaluation systems for teachers and principals and specifies minimum criteria.
- Makes changes with respect to educator preparation and alternative route certification programs.
- Requires teacher preparation programs to administer an evidence-based assessment of teaching effectiveness to all preservice candidates.
- Authorizes OSPI to adopt the Common Core Standards but requires review by the Legislature.

2SSB 6702 - Juveniles in Adult Jails

- Enacts a statutory framework for providing education programs for juveniles in adult jails.

Student Assessment

The foundational theory of education reform is to: a) establish clear standards for what students should know and be able to do; b) measure student performance in achieving those standards; and c) hold the school system accountable for ensuring that students have the opportunity to meet the standards. Thus a significant feature of reform since the 1990's has been development and implementation of common, statewide systems of student assessment.

Washington's 1992 reform legislation directed the Commission on Student Learning to develop a statewide student assessment system, which was then established in 1993 legislation (ESHB 1209). The implementation timeline was subsequently modified over time. The federal No Child Left Behind Act of 2001 imposes significant requirements on state assessment systems in terms of what and who must be assessed, the nature and design of the assessments, and what achievement data must be reported.

The graphic illustrates the grade levels and subjects currently assessed, including the year the assessment was first implemented statewide. Reading and mathematics at grades 4, 7, and 10 and the science assessments are for both state and federal purposes. Writing is a state-only requirement. The remaining assessments are conducted as a result of the NCLB. A Listening assessment was discontinued in 2004. Social Studies, Civics, the Arts, and Health & Fitness are measured at the local level using classroom-based assessments or other strategies in at least one elementary, middle, and high school grade.

Grades	Reading	Writing	Mathematics	Science
3	2006		2006	
4	1998	1998	1998	
5	2006		2006	2005
6	2006		2006	
7	2001	2001	2001	
8	2006		2006	2004
10	2001	2001	2001	2004

Since 2007 the following changes have been made to the state assessment system:

- *Shorten the test.* In 2007 and again in 2008, the Legislature directed the OSPI to reduce open-ended and extended response items to reduce scoring costs and testing administration time.
- *End-of-Course.* 2008 legislation required development of end-of-course assessments in high school Algebra and Geometry (rather than a single comprehensive math assessment), which will be implemented beginning in 2011.
- *Name Change.* In 2009 Superintendent Dorn re-named the Washington Assessment of Student Learning (WASL) as the Measures of Student Progress (MSP) for elementary and middle grades, and the High School Proficiency Exam (HSPE) for high school.
- *Online Administration.* Superintendent Dorn also initiated a move to online administration of the assessment, which will begin in 2010 in grades 6-8 for reading and math.

Graduation Requirements

High school graduation requirements are established in one of three ways:

1. By the state - in statute;
2. By the state - under rules adopted by the State Board of Education; and
3. By local school districts - who must meet but can exceed state minimums.

Statute. It is a statutory requirement that, beginning with the class of 2008, students must earn a Certificate of Academic Achievement (CAA) by passing the high school assessment in reading, writing, and mathematics in order to graduate from high school. There is a temporary exception (also in statute) until the class of 2013 for students who do not pass the mathematics assessment but take additional math courses. These students can still receive a diploma but do not receive the CAA. Science will be added as a requirement for both a CAA and graduation with the class of 2013. Students with disabilities who are not appropriately assessed using the regular assessment can earn a Certificate of Individual Achievement (CIA) based on their individual education plans. Earning a CIA is also a requirement for graduation.

State Board of Education. The SBE has statutory authority to adopt statewide minimum graduation requirements. Current requirements include 19 credits in specified subjects, a high school and beyond plan, and completion of a culminating projects. 2007 legislation directed the SBE to add a third credit of math for graduation and specify the content of the math courses. Beginning with the class of 2013, students will have to earn credits in Algebra I, Geometry, and Algebra II (or their equivalents). An exception to the Algebra II requirement can be granted based on a student's career plan. A law passed in 2009 requires any future changes in graduation requirements to be forwarded to the QEC and the Legislature for review. The Legislature must have an opportunity to act before the changes are adopted, and changes with fiscal impact on school districts must be formally authorized and funded.

English	3 credits Reading, Writing, Communication
Mathematics	2 credits (3 for Class of 2013)
Science	2 credits At least 1 in lab science Physical, life, and earth
Social Studies	2.5 credits 1 - US History & Government 1 - Contemporary World Problems .5 - WA State History & Government
Arts	1 credit
Occupational Education	1 credit
Health & Fitness	2 credits
Electives	5.5 credits
TOTAL CREDITS	19 (20 for Class of 2013)

Local Requirements. School districts are authorized to grant high school diplomas to students who meet state and local graduation requirements. It is also up to each district to determine which courses meet the SBE credit requirements, as well as establish the format and content of the high school and beyond plan and the culminating project.

Milestones in Education Reform

1991 – Governor’s Council on Education Reform and Funding (GCERF) was created by Executive Order of Governor Gardner.

1992 – **SSB 5953** was adopted, establishing the initial framework for education reform:

- Created the Commission on Student Learning to identify what all students need to know and be able to do in a performance-based education system
- Provided for development of Essential Academic Learning Requirements (EALRs) and authorized design of a statewide assessment system.
- Created the expectation that students earn a Certificate of Mastery for graduation.
- Removed certain “input” requirements (credits, hours, required instruction) from law.

1993 – As result of GCERF recommendations, **ESHB 1209** was adopted. ESHB 1209 modified SSB 5953 and is widely considered “the” education reform law in Washington.

- Articulated the four State Learning Goals.
- Established timelines for development of EALRs and statewide assessments.
- Made the graduation requirement of a Certificate of Mastery contingent on the high school assessment being found valid and reliable.
- Directed the Commission on Student Learning to develop recommendations for providing assistance to students, intervention in struggling schools, and awards and incentives.
- Created the Joint Select Commission on Education Restructuring to monitor the progress of the reforms and recommend modification of regulations.
- Created a Legislative Fiscal Study Committee to study the common school funding system and recommend a new funding model by 1995.

1996 – ESHB 2695 made a number of significant adjustments, but was vetoed by the Governor.

- Delayed assessment implementation timelines, made some elementary assessments voluntary, and directed the Commission to revise the timelines for other assessments.
- Repealed the Certificate of Mastery as a graduation requirement and directed the State Board of Education to study the issue.

1997 – ESHB 6072 modified assessment timelines and required the Commission, SPI, and SBE to make recommendations regarding the Certificate of Mastery and high school graduation.

- The agencies recommended the Certificate be required starting with the Class of 2006.

The 4th grade WASL for reading, writing, and math became mandatory statewide.

1999 –SSB 5418 created the Academic Achievement and Accountability Commission to provide a framework for an accountability system.

- Directed the A+ Commission to adopt and revise student improvement goals; adopt cut scores on the WASL; identify schools for success, assistance, and intervention.
- Transferred Commission on Student Learning responsibilities for the EALRs and assessment system
- Directed schools to adopt improvement goals for math in 4th and 7th grades.

2000 – State Board of Education adopted a rule requiring the Certificate of Mastery for high school graduation starting with the Class of 2008.

WASL in 7th and 10th grade for reading, writing, and math became mandatory statewide.

2004 - 3ESHB 2195 made significant modifications to the achievement and assessment system:

- Renamed the Certificate of Mastery as the Certificate of Academic Achievement. Created the Certificate of Individual Achievement for special education students.
- Established in statute that the CAA is earned through success in reading, writing, and math on the high school assessment and is a requirement for high school graduation for the class of 2008. Science is added for the class of 2010.
- Directed SPI to develop alternative assessments, of equal rigor, for the high school WASL, but made implementation subject to Legislative approval.

2005 - ESSB 5732 abolished the A+ Commission and transferred its responsibilities for achievement and accountability to a newly re-constituted State Board of Education.

2006 - ESSB 6475 authorized implementation of alternative assessments for graduation purposes, including a collection of evidence, cohort-grades comparison, and use of other test scores such as SAT or ACT. Authorized SPI to establish an appeals process.

Under NCLB, testing of students in reading and mathematics is extended to each of grades 3-8 and 10. State assessments previously had been only for grades 4, 7, and 10.

2007 - ESSB 6023 created a temporary exemption until the class of 2013 for students to pass the math WASL for graduation and delayed the science requirement to the class of 2013.

- Provisions that declared legislative intent to change the high school math and science WASL to an end-of-course assessment and directed the SBE to examine the issue were vetoed by the Governor.

2008 - ESHB 3166 required revisions of the WASL:

- Shortening of the test in elementary and middle grades, except for writing.
- Development of end-of-course assessments for high school math.

First graduating class required to pass reading and writing assessment to earn a diploma.

2009 - SSB 5414 continued revisions of the WASL by further shortening the test at all grades and modifying the implementation of the new end-of-course assessments in math.

2010 - Based on SBE recommendations, E2SSB 6696 established an accountability system that includes recognition of successful schools and districts and a process for required action in districts with persistently low performing schools, according to federal definitions.

Recent History of Basic Education Finance Reform

- 2004** - A **House K-12 Finance Workgroup** examined the K-12 funding formulas and concluded that although the overall funding structure was responsive to student enrollment and student characteristics, the structure could be better aligned with state education policies. Areas for further review included compensation, special education, transportation, LAP, and grandfathered levies.
- 2005/** - Legislation created **Washington Learns**, a comprehensive education study with a
2006 Governor-chaired steering committee and three advisory committees for Early Learning, K-12, and Higher Education. The K-12 Advisory Committee commissioned a funding analysis "to identify how best to distribute current dollars and whether additional funding is necessary to achieve Washington's standards." Drs. Larry Picus and Allen Odden, national consultants in K-12 finance, recommended a funding allocation model and a level of funding based on the resources that a "prototypical" school would need to provide a quality education for students. The WA Learns final report recommended continued work on a ten-year strategy to redefine Basic Education and increase funding.
- 2007/-** The Legislature created the **Joint Task Force on Basic Education Finance** to review and
2008 propose a new definition of Basic Education and develop options for a new, aligned funding structure and formulas. The Task Force re-examined the Picus-Odden study and considered other comprehensive policy and funding proposals. The final report called for revising Basic Education to include increased instructional hours and graduation requirements; supplemental instruction for struggling, ELL, and gifted students; and early learning for at-risk children. It also recommended a revised educator compensation system and significantly increased funding for Basic Education (with formulas based on a prototypical school model) and pupil transportation.
- 2009** - **ESHB 2261 (Basic Education)** established a new definition of Basic Education, to be phased-in beginning in 2011 concurrently with the resources necessary to support it and according to a schedule adopted by the Legislature; established the framework for a funding formula based on prototypical schools; adopted a new pupil transportation funding formula as of 2013; directed the SBE and PESB to continue their work on accountability and educator certification, respectively; created working groups on the funding formula, compensation, data, and local finance; and established the Quality Education Council to oversee short-term implementation and provide long-term strategic recommendations. Provisions adding early learning to Basic Education were vetoed.
- 2010** - **SHB 2776 (Basic Education Funding Formulas)** adopts details of and sets forth in statute baseline funding values for the prototypical school formula; implements the new pupil transportation formula in 2011; adopts a schedule for enhancements of state funding for K-3 class size, full-day kindergarten, and maintenance, supplies, and operating costs; and adjusts the timelines for some of the working groups established in ESHB 2261.

Acronyms and Other Widely Used Terms

Organizations

AWSP	Association of Washington School Principals
PSE	Public School Employees of Washington
WACTE	Washington Association of Colleges of Teacher Education
WASA	Washington Association of School Administrators
WASBO	Washington Association of School Business Officers
WEA	Washington Education Association
WSSDA	Washington State School Directors' Association

Agencies

SPI	Superintendent of Public Instruction
OSPI	Office of the Superintendent of Public Instruction
SBE	State Board of Education
PESB	Professional Educator Standards Board
QEC	Quality Education Council
OEO	Office of the Education Ombudsman
ESD	Education Service District
CISL	Center for the Improvement of Student Learning (an office within the OSPI)
FEPPP	Financial Education Public Private Partnership
DEL	Department of Early Learning

Washington Acronyms

BEA	Basic Education Act (sometimes refers to the 1977 Act; other times to Basic Education generally)
CAA	Certificate of Academic Achievement (earned by passing specified high school assessments)
CBA	Classroom Based Assessments
CIA	Certificate of Individual Achievement (CAA-equivalent for special education students)
CIS	Certificated Instructional Staff (includes teachers and other certificated school staff such as counselors, psychologists, nurses, etc.)
EALR	Essential Academic Learning Requirements (Washington's learning standards)
EOC	End-of-Course Assessment
GLE	Grade Level Expectations (the EALRs broken down by grade)
HSPE	High School Proficiency Exam (new name for state high school assessments)
LAP	Learning Assistance Program (supplemental funding and instruction for struggling students)
LID	Learning Improvement Days (additional days of pay beyond 180 provided in state budget)
MAP	Measures of Academic Progress (a privately-run student assessment used in many districts)
MSP	Measures of Student Progress (new name for state elementary/middle school assessments)
TRI	Time, Responsibilities, Incentives (supplemental salary contracts allowed by law)
WASL	Washington Assessment of Student Learning (old name for state assessments)

National or Federal Acronyms

AP	Advanced Placement
AYP	Adequate Yearly Progress (a measure of accountability in improving student achievement)
CTE	Career and Technical Education
FERPA	Family Educational Rights and Privacy Act
FRL	Free and Reduced Price Lunch (measure of low income students)
IB	International Baccalaureate (a rigorous middle/high school program)
IEP	Individualized Education Program (required learning plan for students with disabilities)
IDEA	Individuals with Disabilities Education Act
LEA	Local Education Agency (federal term for "school district")
NAEP	National Assessment of Educational Progress (the only nation-wide assessment)
NBPTS	National Board for Professional Teaching Standards
NCLB	No Child Left Behind Act of 2001

Miscellaneous

Becca	Law requiring school/court actions to address unexcused absences (truancy) from school.
CAA Options	The alternative forms of assessment that students can use for graduation purposes if they are not successful on the state assessments.
Core 24	A proposal by the State Board of Education to increase state graduation requirements based on 24 credits, still under development/consideration.
Doran	Thurston County Superior Court Judge Robert Doran, author of several pivotal decisions regarding Basic Education in the late 1970's and 1980's.
Navigation 101	Comprehensive guidance counseling, mentoring, and college and career planning program.
Running Start	Program where high school students attend public colleges and universities and earn both high school and college credit.
1209	ESHB 1209 (1993) - Washington's Education Reform Act
2261	ESHB 2261 (2009) - Basic Education/Finance Reform Act
I-732	Initiative 732 (2001) - Requiring salary cost-of-living adjustments for education employees
I-728	Initiative 728 (2000) - Requiring per-student allocations for class size reduction, etc.

K-12 Quick Facts

Number of school districts 295
 Largest: Seattle (King County) 45,968 students
 Smallest: Benge (Adams County) 6 students

Number of schools More than 2,200

Number of students (headcount October 2009) 1,032,852

2008-09 - Personnel Summary Report:

Number of classroom teachers 59,526
 Number of principals & vice principals 2,922
 Number of librarians 1,453
 Number of counselors 2,374

Student Demographics:

Native American	2.6%	Low Income (FRL)	40.4%
Asian	7.9%	Bilingual Program	8.0%
Pacific Islander	0.7%	Migrant	1.8%
Black	5.5%	Special Education	12.7%
Hispanic	15.3%		
White	64.8%		

Students Meeting Standard on State Assessment (2008-09)

Grade Level	Reading	Math	Writing	Science
3rd Grade	71.4%	66.3%		
4th Grade	73.6%	52.3%	60.4%	
5th Grade	74.0%	61.9%		44.9%
6th Grade	72.0%	50.9%		
7th Grade	59.3%	51.8%	69.8%	
8th Grade	67.5%	50.8%		51.1%
10th Grade	81.2%	45.4%	86.7%	38.8%

On-Time Graduation Rate (within 4 years) 72.0%
 Extended Graduation Rate (more than 4 years) 77.0%

Number of approved WA Colleges of Education 21
 Number of new residency teaching certificates issued 5,036 (2008-09)